

Via FACSIMILE SEPTEMBER 21, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Ni et al.

Docket No.: PF293D2

Application No.: 10/692,730

Confirmation No.: 9711

Filed: October 27, 2003

Art Unit: 1646

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For: T1 Receptor-Like Ligand II

Examiner: Jiang, Dong

**REQUEST FOR CORRECTED PUBLICATION UNDER 37 C.F.R. § 1.221(b)  
DUE TO MATERIAL OFFICE MISTAKE**Box PGPUB  
Commissioner for Patents  
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USPTO-PG PUBS****SEP 21 2004**

Sir:

Applicants respectfully request a corrected publication of the above-listed application pursuant to 37 C.F.R. § 1.221(b) due to a material mistake made by the Office. In particular, the publication is incomplete. In particular, the publication omits the sequence listing filed with the application.

The above mistake is apparent from the Office records, as the application as filed contains the sequence listing in its entirety. The mistake is also apparent from the publication, as the publication omits the sequence listing in its entirety. The above mistake is apparent from the Office records, as the return receipt postcard indicates that the sequence listing was filed with the application on October 27, 2003 (copy attached).

Moreover, the above mistake could be material, as the claim scope cannot be determined in the absence of the sequence listing. Thus, this error affects the scope of provisional rights accorded Applicants under 35 U.S.C. § 154(d) based on the instant publication. Additionally, the mistake could undermine the strength of the publication as a

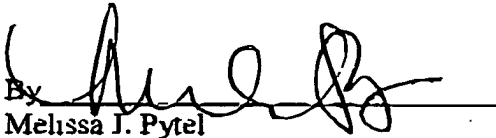
prior art reference, since a U.S. Patent Application Publication must claim the same invention in order to prevent others from submitting an Affidavit or Declaration of Prior Invention under 37 C.F.R. § 1.131.

Accordingly, Applicants respectfully request that a corrected publication of the above-listed application be made pursuant to 37 C.F.R. § 1.221(b).

No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Dated: September 21, 2004

Respectfully submitted,


By   
Melissa J. Pytel

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MMW/MJP/ba

# RETURN RECEIPT CARD

(MPEP § 503)

<b>OIPE:</b>	Please Date Stamp In The Box Below And Return To Addressee
	

Application of:  
Ni et al.

Docket No.: PF293D2

Application Serial No.: Not Yet Assigned

Art Unit: N/A

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

Title: T1 Receptor-Like Ligand II

The following documents were filed by Human Genome Sciences, Inc.  
via hand delivery on October 27, 2003:

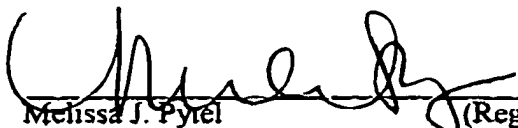
1. Return Receipt Card;
2. Serial Number Postcard;
3. Fee Transmittal with appropriate fee(s) (in duplicate);
4. Utility Patent Application Transmittal (1 page);
5. Application Data Sheet (3 pages);
6. Specification (79 pages. 63 pages Description; 15 pages [90] Claims; 1 page Abstract);
7. Drawings of Figures 1A, 1B, 2, and 3 (4 sheets),
8. Statement Under 37 C.F.R. § 1.821(e);
9. Sequence Listing in paper (14 pages) form;
10. Information Disclosure Statement with Form PTO/SB/08;
11. Copy of Declaration from prior Application No. 08/916,442 (3 pages); and
12. Copy of Statement Under 37 C.F.R. § 3.73, Revocation of Prior Powers of Attorney or Authorizations of Agent, and Power of Attorney or Authorization of Agent from prior Application No. 09/317,641 (2 pages).

Sender's Initials. KKH/LJH/KM/ba

**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8**

1. Fax Cover Sheet (1 page);
2. Request for Corrected Publication Under 37 C.F.R. § 1.221(b) due to Material Office Mistake with copy of PTO date-stamped return receipt postcard (3 pages); and
3. Certificate of Transmission (1 page).

I hereby certify that the above-listed correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 21, 2004.

  
Melissa J. Pytel (Reg. No. 41,512)  
Attorney for Applicants

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**FAX COVER SHEET**

**DATE:** September 21, 2004

**TOTAL NUMBER OF PAGES:** 5

**TO: Office of Pre-Grant Publications  
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**FROM:** Melissa J. Pytel (Reg. No. 41,512)

**RE: Application of: Ni et al.  
Application No. 10/692,730  
Publication No.: US 2004/0146501A1  
Title: T1 Receptor-Like Ligand II**

**Atty. Docket No. PF293D2  
Filed: October 27, 2003  
Published: July 29, 2004**

**COMMENTS:**

Please see the attached Request for Corrected Publication Under 37 C.F.R.  
§ 1.221(b) Due to Material Office Mistake.

If you experience any difficulty receiving this transmission,  
please contact Melissa J. Pytel at (301) 610-5764.